

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

GEORGIA-PACIFIC CONSUMER PRODUCTS, LP,
FORT JAMES CORPORATION, and
GEORGIA-PACIFIC, LLC,

Plaintiffs,

v.

NCR CORPORATION, INTERNATIONAL PAPER
COMPANY, AND WEYERHAEUSER COMPANY,

Defendants,

INTERNATIONAL PAPER COMPANY,

Counterclaimant,

v.

GEORGIA-PACIFIC CONSUMER PRODUCTS, LP,
FORT JAMES CORPORATION, and
GEORGIA-PACIFIC, LLC,

Counterdefendants,

INTERNATIONAL PAPER COMPANY,

Crossclaimant,

v.

NCR CORPORATION and WEYERHAEUSER
COMPANY,

Crossdefendants.

Civil Action No. 1:11-cv-483

Judge Robert J. Jonker

**DEFENDANT WEYERHAEUSER
COMPANY'S RESPONSE TO
NCR CORPORATION'S
MOTION TO MODIFY CASE
MANAGEMENT ORDER AND
EXTEND FACT DISCOVERY**

**RESPONSE TO NCR CORPORATION'S MOTION TO MODIFY CASE
MANAGEMENT ORDER AND EXTEND FACT DISCOVERY**

Defendant NCR Corporation ("NCR") has moved to modify the Court's June 28, 2011, Case Management Order to extend the fact discovery period by 90 days.

Weyerhaeuser agrees with NCR that this action is a broad, complex CERCLA litigation that requires significant fact investigation. It is not apparent to Weyerhaeuser, however, that additional time for fact investigation is strictly necessary at this point in the litigation. Despite that uncertainty, Weyerhaeuser does not oppose an extension to the extent that it is deemed necessary.

With the necessity of a discovery extension at issue, and with the potential for additional parties and claims to be added to this litigation, Weyerhaeuser respectfully requests that the Court hold a case management conference to comprehensively address the potential impact of recent events on the deadlines in the June 28, 2011, Case Management Order. The current Case Management Order was entered at a time when not all of the current Parties had appeared. The addition of still more parties and claims, and any discovery extension, would only further differentiate current circumstances from those confronting the Court at the time it entered the June 28, 2011, Case Management Order. A case management conference would allow the Parties and the Court to efficiently address all of these changes in circumstances, and to avoid additional individual motions for extensions and amendments of case management obligations. Accordingly, Weyerhaeuser renews its request for a case management conference and asks that NCR's motion be taken up for consideration during that conference.

Dated: February 17, 2012

/s/ Scott M. Watson

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